IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 463 OF 2005

MR. CAETANO D'MELLO, MOIRA,BARDEZ GOA. ....Petitioner

Versus

THE STATE OF GOA THROUGH THE SECRETARY(PANCHAYAT) AND 4 ORS., ...Respondents

Mrs. Asha A. Desai,Advocate for the Petitioner.
Shri S.S. Kantak, Advocate General with Ms. K. Chodankar, Addl. Govt. Advocate for R.1 to 3.

Coram:- D. D. SINHA &
N. A. BRITTO, JJ.

Date:- 7th December, 2005

P.C.:

Heard Ms. Dessai, learned Advocate for the Petitioner and learned Advocate General.

In the instant case the counsel for the petitioner states that the Director of Panchayats vide Order dated 26th April, 2002 directed the Pancayat to issue building permission to the petitioner. Under Section 178 of the Panchayat Raj Act, the Order needs to be confirmed by the State Government and therefore the same is pending before the State Government for confirmation. The learned counsel states that the petitioner has filed a complaint, on the basis thereof, proceedings were initiated and therefore he is an interested person in the proceedings and prayed that permission be granted to intervene in the proceedings pending before the State Government for confirmation.

The learned Advocate General makes a categorical statement that the proceedings are already concluded by the Government by passing Order

dated 14th January, 2005 whereby Order dated 26th April, 2002 is confirmed.

In the backdrop of the above referred facts, the cause of action in the present petition has come to an end. The learned Advocate General further states that the petitioner has also made an application for intervention before the State Government in the above referred proceedings which is also rejected by the State Government by Order dated 17.12.2004. In that view of the matter, nothing survives in the Writ Petition. Same is dismissed as infructuous.

D. D. SINHA, J.

N. A. BRITTO, J.

sl.